

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA

**CHRISTOPHER GUTHRIE and SHANE
NORTH, Each Individually and on Behalf
of All Others Similarly Situated**

PLAINTIFFS

vs.

No. 5:22-cv-485-PRW

SMART OILFIELD SOLUTIONS, LLC

DEFENDANT

NOTICE OF RIGHT TO JOIN LAWSUIT

This Notice and its content has been authorized by the United States District Court for the Western District of Oklahoma. The Court has taken no position regarding the merits of this lawsuit.

FROM: Mr. Sean Short
SANFORD LAW FIRM, PLLC
Kirkpatrick Plaza
10800 Financial Centre Parkway, Suite 510
Little Rock, Arkansas 72211
Telephone: (800) 615-4946
Facsimile: (888) 787-2040
E-mail: sean@sanfordlawfirm.com
Attorneys for Plaintiffs

TO: All salaried Pump Supervisors since June 14, 2019.

RE: Overtime wage lawsuit against Smart Oilfield Solutions, LLC

(1) TIME-SENSITIVE: Because the right to claim unpaid wages expires after three years, your right to unpaid wages, if any, may depend on the date on which you return the enclosed Consent form. YOU DO NOT HAVE TO JOIN THIS LAWSUIT BUT IF YOU DON'T, YOU WILL NOT RECOVER ANY MONEY AS A RESULT OF THIS LAWSUIT.

(2) INTRODUCTION: The purpose of this notice is to inform you of a pending collective action lawsuit in which you may be a member as a Plaintiff; to

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advise you of how your rights may be affected by this suit; and to instruct you on the procedure for participating in this suit.

(3) DESCRIPTION OF THE LAWSUIT: Individuals eligible for this case are current or former salaried Pump Supervisors for Smart Oilfield Solutions, LLC (“Defendant”) since June 14, 2019. Plaintiffs filed a lawsuit against Defendant asserting that Defendant violated federal law in failing to pay its salaried Pump Supervisors correctly. Defendant denies Plaintiffs’ claims and allegations. Defendant asserts that Defendant complied with the law, and properly compensated all employees.

This case has not been set for trial yet. If the case is not settled between the parties, a trial will be held at the United States District Court for the Western District of Oklahoma. The Court has not ruled on or decided any of the issues, including the merits of the claims or defenses.

(4) COMPOSITION OF THE CLASS: Plaintiffs seek to sue each individually and on behalf of all salaried Pump Supervisors employed by Defendant since June 14, 2019.

(5) YOUR RIGHT TO PARTICIPATE IN THIS SUIT: If you fit the definition above, you may join this suit (that is, you may opt-in) provided that you file or cause to be filed the attached *Consent to Join* Collective Action **on or before [date 60 days from date of mailing]**.

Additional *Consent to Join* forms and information regarding the specific filing requirements are available from Plaintiffs’ attorney, Josh Sanford, Sanford Law Firm, PLLC, Kirkpatrick Plaza, 10800 Financial Centre Parkway, Suite 510, Little Rock, Arkansas 72211, (800) 615-4946, josh@sanfordlawfirm.com.

(6) JUDICIAL DISCLAIMER: The Court does not encourage or discourage participation in this case.

(7) EFFECT OF JOINING THIS SUIT: If you choose to join this suit, you will be bound by the judgment whether it is favorable or unfavorable. While the suit is proceeding you may be required to provide information, sit for depositions, and testify in court. You will not be required to pay attorney’s fees directly. Plaintiffs’ attorney will receive a part of any money judgment or settlement entered in favor of the collective.

It is important to understand that you are not necessarily entitled to recovery just because you were employed by Defendant as a salaried Pump Supervisor at some time since June 14, 2019. The Court will make a final decision about whether

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you are entitled to recover, and for what time period, if any, that you are entitled to recover. The Court has not made those decisions as of yet.

(8) ARBITRATION AGREEMENT. You may have signed an arbitration agreement as part of your employment with Defendant. Arbitration is a private legal proceeding. If you join this lawsuit and signed an arbitration agreement, Defendant will seek to compel arbitration and have you litigate your claim on an individual basis. Plaintiffs' attorney will likely oppose a motion to compel arbitration. The Court has not made a decision on whether you will be compelled to arbitration. If the Court grants Defendant's motion to compel arbitration, you will be dismissed from this lawsuit and any settlement or judgement, favorable or unfavorable, will not affect you. If the Court denies Defendant's motion to compel arbitration, you will continue to proceed as an opt-in plaintiff in this lawsuit.

(9) EFFECT OF NOT JOINING THIS SUIT: If you choose not to join this suit, you will not be affected by the settlement of this case or any judgment, favorable or unfavorable. If you choose not to join this suit, you are free to file your own lawsuit. If you do not join this suit, however, its filing will not stop the running of the statute of limitations (deadlines) applicable to any claims you may have against the Defendant within the scope of the suit. If those deadlines expire before you file your own lawsuit, you may lose your rights. Accordingly, if you desire to file your own lawsuit, you should contact an attorney to preserve whatever rights you may have.

(10) COUNSEL FOR PLAINTIFF AND COLLECTIVE: If you choose to join this suit, the named Plaintiffs through their attorney will represent your interests. Plaintiffs' attorney and the attorney for the collective is:

Mr. Sean Short
Sanford Law Firm, PLLC
Kirkpatrick Plaza
10800 Financial Centre Parkway, Suite 510
Little Rock, Arkansas 72211
Telephone: (800) 615-4946
Facsimile: (888) 787-2040
E-mail: sean@sanfordlawfirm.com

You also have a right to hire your own attorney and pursue your potential claims individually. If you sign a Consent to Join, you agree that the attorney for the collective will represent you in this case.

(11) RETALIATION PROHIBITED: The law prohibits anyone from discriminating or retaliating against you for taking part in this case. If you believe

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you have been discriminated or retaliated against in any way as a result of your receipt of this notice or election to participate in this lawsuit, you should contact your attorney immediately.

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